

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PAUL DAVIS,)	
)	
Plaintiff,)	
)	
v.)	No. 4:05 CV 941 DDN
)	
BEMISTON-CARONDELET CORP., d/b/a)	
Radisson Hotel Clayton,)	
MARCIA HEIDENREICH,)	
RNA WHITNAH, and)	
PATTY GAFFNEY,)	
)	
Defendants.)	

ORDER

In accordance with the Memorandum filed herewith,

IT IS HEREBY ORDERED that the motion of plaintiff Paul Davis for remand (Doc. 6) is denied.

IT IS FURTHER ORDERED that the motion of plaintiff for a stay of proceedings (Doc. 7) is sustained only in that Counts I and II of the first amended petition with respect to defendant Bemiston-Carondelet shall be stayed pending resolution of plaintiff's petition for a writ of mandamus in the Circuit Court of Cole County, Missouri. In all other respects, the motion to stay is denied.

IT IS FURTHER ORDERED that the motion of defendant Bemiston-Carondelet to dismiss the first amended petition (Doc. 8) is (a) deferred by stay of proceedings with respect to Counts I and II only; (b) is denied with respect to Counts III, IV, and V; and (c) is sustained with respect to Count VI, which is dismissed with prejudice.

IT IS FURTHER ORDERED that the motion of defendants Marcia Heidenreich, RNA Whitnah, and Patty Gaffney to dismiss (Doc. 8) is sustained with respect to Counts I and II, which are dismissed with prejudice.


DAVID D. NOCE
UNITED STATES MAGISTRATE JUDGE

Signed on October 4, 2005.